

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

No. 2:15-CR-133-SMJ-3

Plaintiff,

VS.

CARLOS MANUEL FLEITAS,

ORDER GRANTING  
DEFENDANT'S MOTION  
TO RECONSIDER

Motion Granted

**(ECF No. 95)**

At the June 7, 2016, hearing on Defendant's Motion to Modify the Conditions of Release set by Judge Imbrogno on May 26, 2016, ECF No. 95, Defendant was present with counsel, Steven P. Frampton. Assistant U.S. Attorney Earl Hicks represented the United States.

The Defendant requested to be allowed to reside in Florida during the pendency of this case. The United States objected to his request, citing prior criminal activity, warrant history and the substantial amount of discovery that Defendant would need to review.

The Court considered the Pretrial Services Report filed May 26, 2016, ECF No. 86, the conditions of release set by Judge Imbrogno, Defendant's Motion ECF 95, and statements made by the parties at today's hearing.

This Court has taken into account the evidence, testimony and information produced at this hearing concerning the nature and circumstances of the offense charged, the weight of the evidence against the Defendant, his history and characteristics, including character, physical and mental condition, family ties, employment, financial resources, length of residence in the community,

1 community ties, past conduct, history relating to alcohol and drug abuse, criminal  
2 history, record concerning appearance at court proceedings, and the nature and  
3 seriousness of the danger to the community posed by Defendant's release.

4 The Court, having considered the proffers of Defendant and Plaintiff, and 18  
5 U.S.C. § 3142, finds there are conditions that will reasonable assure the safety of  
6 the community or other persons, and defendant's appearance for further  
7 proceedings. Accordingly Defendant's Motion, **ECF No. 95**, is **GRANTED**.

8 The following conditions in the Order filed May 26, 2016, ECF No. 89, are  
9 **modified** as follows:

10 (11) Defendant is required to reside in the Eastern District of Florida, at an  
11 address known to and approved by Pretrial Services

13 (14) Except for court-proceedings in Idaho and court proceedings in Spokane,  
14 Washington, Defendant shall remain in the Southern District of Florida  
15 while the case is pending. By timely motion clearly stating whether  
16 opposing counsel and Pretrial Services object to the request, Defendant may  
be permitted to travel outside this geographical area.

17 The following **additional** conditions are imposed:  
18

19 (32) Defendant shall remain in the Eastern District of Washington unless and  
20 until Pretrial Services in the Southern District of Florida confirms that  
21 Defendant will be accepted for courtesy supervision in the latter district.

22 All previous terms and conditions of release not inconsistent with this order  
23 to remain in full force and effect.

24 **IT IS SO ORDERED.**

25 DATED June 7, 2016.



26   
27 JOHN T. RODGERS  
28 UNITED STATES MAGISTRATE JUDGE